

30.07.2021
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Debnath (24) S
Arreeling (V) P
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FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)

Spc P.S. Mahagara Year 2021 FIR No. 751/2021 Date 30.07.2021
Sections X Sections X (i) Act NDPS Act Sections 21(e) INDPS
(iv) Others Acts & Sections Act
3. (a) Occurrence of Offence - Day Tuesday Date From 30.07.2021 Date To
Time Period Time From 08:00h Time To 08:55h
(b) Information received at P.S. Date 30.07.2021 Time 09:35 hrs
(c) General Diary Reference - Entry No(s) 1579 Time 09:35 h

4 Type of Information Written / Oral
5 Place of Occurrence (a) Direction and Distance from P.S. 4 km N/East
(b) Address Sishudangi Near Pancharai Bridge
P.S. Mahagara Dist DSH
(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District

6 Complainant / Informant
(a) Name SI Abhishek Through
(b) Father's / Husband's Name Suchandra Kumar Through
(c) Date / Year of Birth
(d) Nationality Indian
(e) Passport No. X Date of Issue X Place of Issue X
(f) Occupation Sub Inspector of Police
(g) Address Mahagara Police Station / Siliguri Police Commission

7 Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary)
Accd. 1) Mohan Singh (23) s/o Ganga Singh of Khatolikoti P.O + P.S. Mahagara Dist DSH.
2) Joseph Parryar (20) s/o Lt. Col. K. Parryar of P.O. Thora P.O + P.S. Mirik Dist - DSH.

9 Particulars of properties stolen / involved (Attach separate sheet, if necessary)
One Black Carry bag containing 30 (Thirty) bottles of "Phensedyl" cough Syrup (each bottle containing 100ml) having Batch No. B1B 21037 M/S. Date 03/2021 Exp. Date 08/2024) One Black Carry bag containing 35 (Thirty five) bottles of ZYKAR 2X cough Syrup each bottle containing 100ml.

12 FIR Contents (Attach separate sheets, if required)
Which is treated as FIR is re-produced over page
The original written complaint

3. Action taken - Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and set up the investigation / directed SI Md. Sahulha
investigation / refused investigation / transferred to P.S. Mahagara P.S. SPC
jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant/ Informant free of cost.

Signature / Thumb impression of the Complainant / Informant
Abhishek Through

Signature of the Officer-in-Charge, Police Station
Name Abhishek Through
Rank No SI of Police Mahagara P.S.

Date & Time of despatch to the court
30.07.2021 at 11:00h



The Officer In Charge,
Siliguri Police Station,
Siliguri Police Commissionerate.

Sir,

Sub: - F.I.R

In producing herewith one (02) arrested accused person namely Mohan Singh (25) s/o Ganga Singh of Khalaibakhtari, PO+PS Matigara, Dist-Darjeeling and Joseph Pariyar @ Akash (24), s/o - Lt. Bol Kr. Pariyar of Powli Jhora, PO+PS- Mirik, Dist- Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One Black carry bag containing 30 (thirty) bottles of "PHENSEDYL" Cough Syrup (each bottle containing 100 ml) having Batch No. PHB 21037, Mfg. Date: 03/2021. Exp. Date: 08/2021 which was kept inside one nylon bag - seized from the possession of above noted Mohan Singh and marked as "Exhibit- A".
- b) One (01) bottle of "PHENSEDYL" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- c) One Black carry bag containing 35 (thirty five) bottles of "LYKAREX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0272 Mfg. Date: 02/2021. Exp. Date: 01/2023 which was kept inside one nylon bag - seized from the possession of above noted Joseph Pariyar @ Akash and marked as "Exhibit- B".
- d) One (01) bottle of "Lykarex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".

I, SI Abhishek Theengh (32), S/O- Sri Suchandra Kumare Theengh of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely Mohan Singh (25) s/o Ganga Singh of Khalaibakhtari, PO+PS Matigara, Dist-Darjeeling and Joseph Pariyar @ Akash (24), s/o - Lt. Bol Kr. Pariyar of Powli Jhora, PO+PS- Mirik, Dist- Darjeeling to the effect that on 30.07.2021 at about 07.05 hrs I received a specific source input that two person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Sishudangi, near Panchanai Bridge under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No. 1871, Dt. 30.07.2021 and subsequently, I informed the matter to the Officer-in Charge, Matigara Police Station in written and being directed, myself along with ASI Nitai Mandal, Const- 1035 Santosh Rabidas, Const- 1008 Kanak Roy and Const- 986 Rajib Sarkar all of Matigara PS, SPC along with investigation kit left for Sishudangi under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 1872, Dt. 30.07.2021 and M.C.C No- 1902/2021 Date- 30.07.2021.

Under this circumstance any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

On way to Sishudangi under Matigara PS I contacted two persons namely (1) Md. Azad (38) S/O Md. Meheebub Ali of Tumbajote, P.O + P.S- Matigara, Dist- Darjeeling and (2) Reeru Khan(39) S/O Lt. Riaz Khan of Tumbajote, P.O+PS- Matigara, Dist- Darjeeling and make them aware of the information in hand and requested them to act as witness, if any search and seizure would be made necessary upon which they agreed. Thereafter, we along with above noted independent witnesses arrived at Tumbajote near Panchanai Bridge under PS- Matigara at 07.25 hrs and subsequently, being pointed by my source detained 02 (two) person standing near Panchanai Bridge. Each of them carried nylon bag under their possession. Thereafter, we disclosed our identity and the information in hand and stated them that they as well as the bag under his possession will be searched for the purpose. And, I gave them option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which they agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused persons to search our Police Party as per provisions but, they did not search the police party. Consequently, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused persons suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at Tumbajote near Panchanai Bridge under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 07.55 hrs Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at near Panchanai Bridge under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons following all formalities, keeping their decency and recovered the above noted article from the exclusive and conscious possession of the accused persons namely 1. Mohan Singh (25) s/o Ganga Singh of Khalaibakhtari, PO+PS Matigara, Dist-Darjeeling and 2. Joseph Pariyar @ Akash (24), s/o - Lt. Bol Kr. Pariyar of Powli Jhora, PO+PS- Mirik, Dist- Darjeeling.

It has been found from the bag under the possession of the above noted accused person namely Mohan Singh containing 30 (thirty) bottles of "PHENSEDYL" cough syrup (each bottle containing 100 ml) containing 30 X 100 ml = 3000 ml i.e., equivalent to 3 Kg].

And It has been found from the bag under the possession of the above noted accused person namely Joseph Pariyar @ Akash containing 30 (thirty) bottles of "LYKAREX" Cough Syrup (each bottle containing 100 ml) containing 35 X 100 ml = 3500 ml i.e., equivalent to 3.5 Kg]

Abhishek Theengh
Contd

1892
89/21 Date 30.07.2021
Sections 46A(c)
Sections B E Act
Date To 19.25
To 22.2
22.

Year 2021 FIR No 787/2021 Date 30.07.2021
Act B E Act/Sections 46A(c)
(iv) Others Acts & Sections B E Act
30.07.2021 Date To 20.45
20.25 hr Time To 8.10

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Further, on demand in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Mohan Singh & Joseph Pariyar @ Akash failed to produce any valid documents/papers or explanation for possessing of such a huge quantity of 'Codeine Phosphate' based drugs beyond the prescribed limit.

Thereafter, I seized the recovered 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3 Kg] of "PHENSEDYL" Cough Syrup [including 1 (one) bottle of "PHENSEDYL" Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Mohan Singh & 35 (thirty five) bottles [containing 3000 ml i.e., equivalent to 3.5 Kg] of "LYKAREX" Cough Syrup [including 1 (one) bottle of "LYKAREX" Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession above noted accused person namely Joseph Pariyar @ Akash at the spot at near Panchanai Bridge under Matigara PS under proper seizure list in presence of independent witnesses and Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Mohan Singh & Joseph Pariyar @ Akash. The whole process of seizure was made in between 08.10 hrs to 08.55 hrs.

Being further asked, the apprehend persons namely Mohan Singh & Joseph Pariyar @ Akash admitted in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that they have procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same in high rate to his designed local customer for his personal gain by illegal means. They also disclosed that they have been dealing in this business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for his wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Mohan Singh & Joseph Pariyar @ Akash are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Mohan Singh & Joseph Pariyar @ Akash after observing all formalities and informing the ground of his arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely 1. Mohan Singh (23) s/o Ganga Singh of Khalaibakhtari, PO+PS Matigara, Dist-Darjeeling and 2 Joseph Pariyar @ Akash (24), s/o - Lt. Boli Kr. Pariyar of Powli Jhora, PO+PS- Mirik, Dist- Darjeeling and arrange for its investigation.

Enclosures:

- i) Original Memo of Arrests.
- ii) Original seizure list along with seized articles and other papers.

Yours faithfully,

Abhishek Thengal
(SI Abhishek Thengal)
Matigara Police Station
Siliguri Police Commissionerate

Received on 30.07.2021 vide
Matigara PS G.Dt No. 1829/21 dt. 30.07.2021
at 08:35 hrs and started Matigara PS case
No 781/21 dt. 30.07.2021 U/S 21(C)
NDPS Act and endorsed it to SI Md. Samsullah
for its investigation.

30/07/2021
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate